
EXHIBIT A

[Clear Form](#)

CAND 89B (Rev. 1/06) Subpoena to Produce Documents or Objects in a Criminal Case

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

United States of America

V.

KEVEN CHEN CHIEH YANG

SUBPOENA TO PRODUCE
DOCUMENTS OR OBJECTS
IN A CRIMINAL CASE

Case Number: 11-00472 RMW

SEALED BY ORDER
OF THE COURT

TO:

Fenwick & West, LLP
 801 California Avenue
 Mountain View, CA 94041

YOU ARE COMMANDED to produce at the place, date, and time specified the document(s) or object(s) indicated below. If compliance would be unreasonable or oppressive, you may file a motion requesting the court to quash or modify the subpoena, to review the documents *in camera*, or to permit production only pursuant to a protective order.

PLACE				COURTROOM/JUDGE
<input type="checkbox"/> United States Courthouse 450 Golden Gate Avenue San Francisco, CA 94102	<input checked="" type="checkbox"/> United States Courthouse 280 South First Street San Jose, CA 95113	<input type="checkbox"/> United States Courthouse 1301 Clay Street Oakland, CA 94612	5 / Paul S. Grew	
			DATE AND TIME	11/8/12 10:30 am

If the document(s) or object(s) are produced in advance of the date specified, either to the court in an envelope delivered to the clerk's office or to the issuing attorney whose name and address appears below, no appearance is necessary.

The following document(s) or object(s) shall be produced:

See Attachment A

NOTE: Parties requesting a subpoena requiring the appearance of a witness to testify at a criminal proceeding or to testify and bring documents to a criminal proceeding, must use Form CAND 89A, *Subpoena to Testify in a Criminal Case*. Forms are available at the Court's Internet site: <http://www.cand.uscourts.gov>.

U.S. MAGISTRATE/JUDGE OR CLERK OF COURT
 RICHARD W. WIEKING

DATE

OCT 17 2012

(By) Deputy Clerk


ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

Michael W. Armstrong SBN 87799
 600 University Avenue
 Palo Alto, CA 94301 (650)326-2980

CAND 89B (Rev. 1/06) Subpoena to Produce Documents or Objects in a Criminal Case

PROOF OF SERVICE		
RECEIVED BY SERVER	DATE	PLACE
SERVED	DATE	PLACE
SERVED ON (PRINT NAME)		FEES AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input type="checkbox"/> NO AMOUNT \$ _____
SERVED BY (PRINT NAME)		TITLE
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.		
Executed on _____	DATE	SIGNATURE OF SERVER
ADDRESS OF SERVER _____ _____		
ADDITIONAL INFORMATION		

1 Michael W. Armstrong, Esq. (CA SBN 87799)
2 NOLAN, ARMSTRONG & BARTON, LLP
3 600 University Avenue
4 Palo Alto, California 94301
5 650/326-2980 – Telephone
6 650/326-9704 – Facsimile
7 marmstrong@nablaw.com

8 Attorney for Defendant, KEVEN YANG

9

10
11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

14 UNITED STATES OF AMERICA) No. CR 11-00472 RMW
15 Plaintiff,)
16 vs.) ATTACHMENT A—DEFENDANT’S
17 KEVEN CHEN CHIEH YANG) REQUEST FOR DOCUMENTS BY
18 Defendant) SUBPOENA BY FENWICK & WEST, LLP
19 _____)

20 **A. DOCUMENTS REQUESTED**

21 **REQUEST NO. 1:**

22 All documents in the possession or under the control of Fenwick & West LLP related to
23 their representation of Lin Calvin Yu and/or his father, Ya Peng Yu, from 2005 to the present, in
24 which Lin Calvin Yu and/or his father discussed investments in companies associated with Keven
25 Yang, defendant herein, including but not limited to Westcal, OK Sourcing, SuperGin, Triangle
Textiles, Triangle SuperGin, Global Recycling Energy Inc, Cotton Recovery Inc., KR Capital Corp,
and Charter Equities. This request includes emails and letters and texts from firm attorney(s) to and
from the clients, draft contracts, opinion letters, communications with non-clients, notes of phone

1 calls and meetings, and billing information, including the time spent for each itemized expense and
2 the times and dates related to that representation.

3

4 **B. DEFINITIONS**

5 1. "DOCUMENT" means all materials referred to in the Federal Rules of Evidence section
6 1001. "DOCUMENT" includes, but is not limited to, the following: all writings, imprints, or
7 electronic data compilation, of any kind, including the originals and all nonidentical copies, whether
8 different from the original by reason of any notation made on such copies or otherwise, including
9 without limitation: correspondence; memoranda; notes; diaries; statistics; letters; e-mails; materials;
10 invoices; orders; directives; interviews; telegrams; minutes; reports; studies; statements; notebooks;
11 affidavits; drawings; images; transcripts; summaries; pamphlets; brochures; calendars; agreements;
12 contracts; stenographic notes; books; publications; interoffice and intraoffice communications;
13 notations of any sort of conversations, telephone calls, meetings or other communications; bulletins;
14 printed matter; teletype; telefax; worksheets; and all drafts, alterations, modification, changes and
15 amendments of any of the foregoing; graphic or aural recordings or representations of any kind,
16 including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, records,
17 motion pictures or any other information retrieval systems; and electronic, mechanical, computerized
18 or electrical recordings or representations of any kind, including without limitation, tapes, cassettes,
19 cartridges, discs, chips, and records. The DOCUMENTS requested in this subpoena relate to
20 documents both that are either in YOUR actual or constructive possession, custody or control
21 (including DOCUMENTS in the physical possession of you or your attorneys, investigations,
22 insurers, experts, consultants, or other agents).

24 2. The singular of each term or word used herein includes the plural, and the plural includes
25 the singular.

1 **C. INSTRUCTIONS**

2 1. Any copy of a DOCUMENT that varies in any way from the original or from any other
3 copy of the DOCUMENT, whether by reason of handwritten or other notation or any omission,
4 constitutes a separate DOCUMENT and must be produced, whether or not the original of such
5 DOCUMENT is within the responding party's possession, custody or control.

6 2. Each DOCUMENT requested is to be produced in its original file folder, file jacket or
7 cover (or the responding party may, in the alternative, designate in writing the titles of each folder,
8 jacket or cover with respect to each such DOCUMENT) and the company, department, and
9 individual from which those files the DOCUMENT is being produced is to be indicated.
10
11 DOCUMENTS shall be produced together as a group if they are maintained as a group in the
12 ordinary course of business. DOCUMENTS that are stapled or fastened together should be stapled
13 or fastened together when produced.

14 3. DOCUMENTS shall be produced in an order corresponding to each paragraph of this
15 DOCUMENT request, or, in the alternative, they may be produced in the same order in which that
16 are maintained in the ordinary course of business.

17 4. If YOU refuse to produce any DOCUMENT herein requested under a claim of privilege,
18 work product, or other reason for non-production, YOU are requested to submit, in lieu of each
19 DOCUMENT, a privilege log which:

20 a. identifies the privilege, work product, or other asserted reason for non-production;
21 b. describes the nature and general topic of the type of DOCUMENT;
22 c. identifies the person who prepared the DOCUMENT and any persons to whom the
23 DOCUMENT was sent or disclosed;
24 d. identifies any person who has seen or had possession of the document; and,

e. specifies the dates on which the DOCUMENT was prepared transmitted and received.

5. If any DOCUMENT herein requested was formerly in YOUR possession, custody or control and has been lost, discarded or destroyed, YOU are to submit a written statement that:

- a. describes in detail the nature of the DOCUMENT and its contents;
- b. identifies the person who prepared the DOCUMENT and, if applicable, the person OR persons to whom the DOCUMENT was sent or disclosed;
- c. identifies any person who has seen or had possession of the DOCUMENT;
- d. specifies the date(s) on which the DOCUMENT was prepared, transmitted or received;
- e. specifies the date on which the DOCUMENT was lost or destroyed, and, if destroyed, the conditions of and reasons for such destruction and the persons requesting and performing the destruction; and,
- f. identifies any person with knowledge of the contents or any portion of the contents of the DOCUMENT.

6. If compliance would be "unreasonable or oppressive," YOU "may file a motion to quash or modify the subpoena, for an *in camera* review of the documents, or for an order to permit production only pursuant to a protective order."

Date: September 17, 2012

Respectfully submitted,

NOLAN, ARMSTRONG & BARTON LLP


Michael W. Armstrong
Attorney for Defendant
Keven Chen Chieh Yang